Electricity (Spl. Powers) II

1950

File No. 50(N)

Legal Deptt.

B **BRANCH**

Subject:— Notifications under the Bombay Electricity (Spl. Powers) Act 1946

E 29
E

File No. Electricity (Spl. Powers) II/50(N)

Gen. 194 e.

455-B

Legal Department.

The argument put forward by the Electrical Engineer to Government that only because there is a breach of conditions of sanction of the supply to the consumer it should be immediately stopped by making an order under section 6A(1)(a) of the Act is not tenable. Nor the Draft at page 145 ante is in order. Section 6A(1) of the Act provides that notwithstanding anything contained in any law for the time being in force, or any permission granted under sub-section (3) of section 5 ..... the Provincial Government may with a view to controlling distribution, supply, consumption or use of electrical energy make an order for prohibiting the distribution or supply of electrical energy by a licensee or use of such energy by consumer for any purpose specified in such order. From the letter of the Hindustan Die Company, at page 183, it is not denied that the electrical energy is not used for the purpose of a flour mill. The only contention put forward is that no conditions were attached to the permission except that the supply should not be taken between the hours of 7 A.M. and 7 P.M. Apart from the fact whether the conditions to the supply of electrical energy were attached or not in the agreement entered into by the licensee and the consumer, the power of the State Government to prohibit the supply of electrical energy by the licensee with the view to controlling distribution, supply, consumption or use by electrical energy is not affected.

P.T.O.

2. A revised draft order is sent herewith. The Public Works Department should verify whether it carries out its intentions. It is pointed out that the short title of the Bombay Electricity (Emergency Powers) Act, 1946 has been changed to "Bombay Electricity (Special Powers) Act, 1946" by section 3 of the Bombay Electricity (Emergency Powers) (Amendment) Act, 1949. The Act is therefore known now by that name.

Sd/- J.R. Dhurandhar
5/4

Additional Secretary to Government.

U.R. to P.W.D. No.4714, dated the 6th April 1950.

KAN/3-8.
4 c.

O R D E R

Public Works Department,
Bombay Castle, April 1950.

Bombay Electricity (Special Powers) Act, 1946.

No. .- In exercise of the powers conferred by clause (a) of sub-section (1) of section (A of the Bombay Electricity (Special Powers) Act, 1946, (Bom. X of 1946), the Government of Bombay is pleased -

(1) to prohibit the distribution or supply of electrical energy by the Surat Electricity Company Ltd. to the Hindustan Die Company for any purpose other than the manufacturing of Wire Drawing Diamond Dies, Diamond Glaziers (glass cutters) and all types of mechanical machine cutting tools;

(2) to prohibit the use of such electrical energy by the Hindustan Die Coy. for any purpose other than for manufacturing of Wire Drawing Diamond Dies, Diamond Glaziers (glass cutters) and all types of mechanical machine cutting tools.

By order of the Governor of Bombay,

Secretary to Government.

MW/3-3.
4 c.